

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

ERNEST PIPPIN,	)	
	)	
Petitioner,	)	
	)	
v	)	Civil Action No. 3:07cv613-MHT
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER ON MOTION**

Now pending before the court (Doc. No. 2) is the June 26, 2007, motion to proceed without prepayment of fees filed by the petitioner in conjunction with his motion to vacate, set aside, or correct sentence. *See* 28 U.S.C. § 2255. There is no filing fee required for a motion to vacate filed pursuant to 28 U.S.C. § 2255. Accordingly, upon consideration of the motion to proceed without prepayment of fees, it is

ORDERED that the motion (Doc. No. 2) be and is hereby DENIED as moot.

Done this 3<sup>rd</sup> day of July, 2007.

/s/Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE